



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
726 MINNESOTA AVENUE
KANSAS CITY, KANSAS 66101

August 12, 1991

MEMORANDUM

SUBJECT: McDonnell Douglas Corporation, St. Louis, Missouri
TSCA Docket No. VII-91-T-167

TO: File

FROM: Julie M. Van Horn *jmv*

A Complaint was filed in this matter on May 20, 1991, alleging that Respondent had violated the Toxic Substances Control Act (TSCA), 15 U.S.C. Section 2601. The Complaint proposed a civil penalty of \$30,300.

The parties entered into settlement negotiations and an agreement was reached whereby Respondent agreed to remove ten (10) PCB transformers and dispose of them according to TSCA and applicable regulations by February 28, 1992. The projected cost for the transformer removal, disposal and replacement is \$585,051. Respondent supported these figures by submitting a bid.

In addition, Respondent has corrected the violations that are the subject of the Complaint. Respondent has agreed to pay a mitigated penalty of \$7,500 with the balance of the proposed penalty, specifically, \$22,800, deferred as long as Respondent is in compliance with the terms of the agreement. Each party agrees to bear its own costs and attorney's fees incurred in connection with this action.

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Superfund